

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO**

ALYSSA PORTNOY and DARLENE PORTNOY,	)	Case no. 17-00834-MRB
	)	
	)	Hon. Michael R. Barrett
Plaintiffs,	)	
	)	
v.	)	
	)	
NATIONAL CREDIT SYSTEMS, INC. and	)	
WILLIAMSBURG OF CINCINNATI,	)	
	)	
Defendants.	)	

**JOINT MOTION FOR LEAVE  
TO SUBSTITUTE AS ATTORNEYS OF RECORD  
AND TO WITHDRAW**

Pursuant to L.R. 83.4(c), Williamsburg of Cincinnati (“Williamsburg”), respectfully moves this Court to enter an order allowing attorney, Stacie E. Barhorst (“Barhorst”), leave to substitute as trial attorney of record on its behalf and for leave for Katrina DeMarte (“DeMarte”) to also file an appearance on its behalf. In addition, attorney David D. Donnett (“Donnett”) respectfully moves this Court to allow him to withdraw as counsel on behalf of Williamsburg.

On or about August 5, 2019, Williamsburg retained Barhorst and DeMarte as counsel to represent it going forward in this case in place of its former trial attorney—Donnett. Williamsburg now wishes Barhorst to represent it as its trial attorney. Barhorst is a member of this Court’s bar, is experienced in defending cases filed under the federal Fair Debt Collection Practices Act, and stands ready to act as trial attorney for Williamsburg upon entry of an Order from this Court granting her leave. DeMarte is also experienced in defending cases filed under the federal Fair Debt Collection Practices Act, and stands ready to act as an attorney for Williamsburg upon entry of an Order from this Court granting her leave.

In addition, this Court should simultaneously allow Donnett to withdraw as counsel for record for Williamsburg, given that Barhorst and DeMarte will substitute as counsel for Williamsburg from this point forward.

Both Barhorst and DeMarte are familiar with the factual and legal issues in this case. Upon this Court granting Williamsburg's Motion, Barhorst and DeMarte will be immediately ready to step in as counsel for Williamsburg.<sup>1</sup>

Barhorst spoke with Plaintiff's counsel on the telephone on the afternoon of August 5, 2019, and he indicated that he had no objection to the instant Motion.

For all the foregoing reasons, this Court should enter an Order allowing Barhorst to substitute her appearance Donnett, should allow DeMarte to file an appearance on behalf of Williamsburg, and should allow Donnett to withdraw as counsel for Williamsburg. A proposed order is attached for this Court's convenience as Exhibit A.

Respectfully submitted,

WILLIAMSBURG OF CINCINNATI

By: /s Stacie E. Barhorst  
Stacie E. Barhorst  
KAPLAN PAPADAKIS & GOURNIS, P.C.  
180 N. LaSalle Street  
Suite 2108  
Chicago, IL 60601  
(312) 726-0531  
(312) 726-4928 (fax)  
sbarhorst@kpglaw.com

Respectfully submitted,

WILLIAMSBURG OF CINCINNATI

By: /s Katrina M. DeMarte  
Katrina M. DeMarte  
DeMarte Law  
39555 Orchard Hill Place  
Suite 600  
PMB 6338  
Novi, MI 48375  
(313) 590-7047  
katrina@demartelaw.com

---

<sup>1</sup>. Unfortunately, because of Williamsburg's timing, the Deposition of Brittany Carpenter, which the parties agreed to hold on August 6, 2019 at 9:30 a.m. at Donnett's offices will have to be rescheduled. DeMarte has already reached out to Ms. Carpenter in order to present Plaintiff's counsel and Donnett with alternate dates for Ms. Carpenter's deposition. Neither Barhorst nor DeMarte could travel to Cincinnati to defend Ms. Carpenter's deposition with such short notice.

Respectfully submitted:

By: /s David D. Donnett  
David Darwin Donnett  
1212 Sycamore Street  
Suite 31-33  
Cincinnati, OH 45202  
(513) 421-4000  
(513) 421-1119 (fax)  
Email: donnettlaw@gmail.com

**CERTIFICATE OF SERVICE**

The undersigned counsel hereby certifies that this document was filed electronically this 5th day of August 2019. Notice of this filing will be sent to counsel of record at the email addresses registered with the Court by operation of the Court's electronic filing system. Parties may access this filing through the Court's system

/s Stacie E. Barhorst